

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Brown, et al.

v.

Civil No. 16-cv-242-JL

Saint-Gobain Performance
Plastics Corp., et al.

ORDER

On September 9, 2019, the court held a telephone conference with counsel for all parties to resolve a discovery dispute arising from expert disclosures and depositions. After hearing both sides' positions, the court orders as follows:

1. The defendants' request to strike all materials served on behalf of the plaintiffs' expert David Sullivan on August 28, 2019 is denied.
2. The plaintiffs' request for costs and fees is denied.
3. The plaintiffs shall make their expert David Sullivan available for another deposition at a date, time, and location that is mutually convenient for the parties and the witness.
4. The defendants shall make their expert Lyle Chinkin available for deposition at a reasonable date and time after Sullivan's second deposition, to allow Chinkin to analyze, and if necessary, respond to any new opinions by Sullivan before Chinkin is deposed.

5. Should the defendants wish to supplement their Daubert challenge to Sullivan's proposed expert testimony because of newly disclosed material, they shall do so within a reasonable period of time.
6. The experts for each party shall produce all materials he or she relied upon in forming an expert opinion in this case, including materials whose distribution are limited by copyright or licensing agreements. The court shall resolve any objections raised by copyright holders if they arise.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: September 10, 2019

cc: John A. Yanchunis, Esq.
Kevin Scott Hannon, Esq.
Paul M. DeCarolus, Esq.
Finis E. Williams, III, Esq.
Bruce W. Felmly, Esq.
Douglas E. Fleming, III, Esq.
Lincoln D. Wilson, Esq.
Mark Cheffo, Esq.
Paul A. LaFata, Esq.
Rachel B. Passaretti-Wu, Esq.
Sheila L. Birnbaum, Esq.
. Bert L. Wolff, Esq.
Emily L. Van Tuyl, Esq.
Jeremy T. Walker, Esq.
Marina Schwarz, Esq.
Stefanie A. Tubbs, Esq.